

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SONIA RUSSELL,

Plaintiff,

vs.

POSTMASTER GENERAL LOUIS
DEJOY, Postmaster General;

Defendant.

8:20CV533

ORDER

On August 11, 2022, the Court entered an order (Filing No. 22) which required the parties to participate in a telephonic conference on February 1, 2023 at 8:00 a.m. The time was specifically selected to accommodate Plaintiff's work schedule.

The government moved to continue the deadlines in the case progression order due to a change in counsel for the government. (Filing No. 40). Plaintiff opposed that motion, (Filing No. 43), demanding that this case be tried by the end of May 2023 due to her plans to be out of the country for a period of time thereafter. (Filing No. 47).

The court entered a written order granting, in part, the government's motion. (Filing No. 44). This order again stated that a conference call was scheduled to be held on February 1, 2023 at 8:00 a.m. The calling instructions referenced in the order are the same instructions the parties used to participate in all prior conference calls for this case.

Neither Plaintiff nor counsel for the government attended the conference call set for today. During that conference, the court would have set the trial and pretrial conference dates. The government's counsel has contacted the court to

explain her absence at the hearing. Plaintiff has not. Moreover, Plaintiff bears the burden of proof in this lawsuit.

Accordingly,

IT IS ORDERED that Plaintiff Sonia Russell is given until February 15, 2023 to file a statement explaining why the court should not dismiss this case for want of prosecution. The failure to timely comply with this order may result in dismissal of the claims filed by Plaintiff without further notice.

Dated this 1st day of February, 2023.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge